

STATE OF UTAH
OFFICE OF THE ATTORNEY GENERAL

M/003/050



MARK L. SHURTLEFF
ATTORNEY GENERAL

COPY
RECEIVED
MAY 24 2005

RAYMOND HINTZE
CHIEF DEPUTY

Protecting Utah • Protecting You

DIV OF OIL GAS & MINING
KIRK TORGENSEN
CHIEF DEPUTY

May 24, 2005

CERTIFIED RETURN RECEIPT
7000 1530 0002 3016 7698

Mr. Barry Peterson
Gold Star Stone
P.O. Box 62
Oakley, Idaho 83346
Fax: (208) 862-3807

Subject: Failure to File an Appeal or to Pay Penalties for Cessation Order MC-04-01-07 (1), Gold Star Stone/Barry Peterson, Lone Pine Quarry, M/003/050, Box Elder County, Utah

Dear Mr. Peterson:

On October 21, 2004, the Division of Oil, Gas and Mining issued to you Cessation Order MC-04-01-07 (1). This cessation order was later abated and terminated. Penalty assessments associated with this cessation order were mailed to you by certified mail and received by you on November 15, 2004. A copy of this letter and the associated penalty worksheets is attached.

In accordance with Utah Administrative Code R647-7-105 and R647-7-106, you had 30 days from receipt of the penalty assessments to request a conference or hearing. The deadline for appealing either the assessments or the fact of the cessation orders has long since expired.

Payment of penalty assessments is now past due. Utah Code Ann. § 40-8-9.1(4) states:

Civil penalties owed under this chapter may be recovered in a civil action brought by the attorney general of Utah at the request of the board in any appropriate district court of the state.

The Division will now immediately proceed with asking the Board of Oil, Gas and Mining to request the Office of the Attorney General to initiate proceedings in district court to recover the civil penalties owed. The Board hearing will likely take place in July. However, you can avoid the Board hearing and district court proceedings by simply paying the penalty assessments you owe, which total \$440.00.

If you have any questions about this letter, please call me at (801) 538-7227.

Sincerely,

A handwritten signature in black ink, appearing to read "Alison D. Garner". The signature is fluid and cursive, with the first name "Alison" and last name "Garner" clearly distinguishable.

Alison D. Garner
Assistant Attorney General

Enclosures